

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

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**FEDERAL TRADE COMMISSION,**

Plaintiff,

vs.

**HOLD BILLING SERVICES, et. al.**

Defendants.

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**Case No. SA-98-CA-0629-FB**

**FEDERAL TRADE COMMISSION'S  
ALTERNATIVE DISPUTE RESOLUTION REPORT**

**TO THE HONORABLE HENRY BEMPORAD, U.S. MAGISTRATE JUDGE:**

The Federal Trade Commission, by and through its attorney of record files this Report on Alternative Dispute Resolution in compliance with the Court's Scheduling Order and Local Rule CV-88:

1. The persons responsible for settlement negotiations are Douglas Wolfe and Robin Moore, counsel for the Federal Trade Commission, and James A. Kohm, Associate Director, Division of Enforcement of the Federal Trade Commission's Bureau of Consumer Protection.

2. The parties have discussed the possibility of settlement of the Contempt Motion for the past seven months. On November 29, 2012, counsel for the parties met to discuss broad parameters of settlement, and counsel for the Commission stated that any such settlement would need to provide monetary payments of full consumer redress. On January 31, 2013, counsel for the parties met and again discussed the possibility of settlement. Counsel for the Commission

reiterated that any settlement would need to provide monetary payments of full consumer redress. On April 12, 2013, Defendant proposed possible settlement terms. On or about April 29, 2013, Plaintiff rejected Defendant's settlement proposal. These settlement efforts followed the parties' efforts to resolve the matter prior to the FTC filing the Contempt Motion.

3. Plaintiff does not believe that mediation of this case would be helpful because each party's evaluation of the case differs so significantly.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that no referral to ADR be made by the Court at this time.

Dated: June 14, 2013

Respectfully Submitted,

Federal Trade Commission  
600 Pennsylvania Ave., N.W., Suite M-8102 B  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14 day of June, 2013, I electronically filed the foregoing Alternative Dispute Resolution Report with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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